

AFFIDAVIT IN SUPPORT OF APPLICATION
FOR ISSUANCE OF A CRIMINAL COMPLAINT

I, Nichole Harris, being first duly sworn state:

1. I am a Special Agent with the Naval Criminal Investigative Service (NCIS), and have been with them for five and half years. In this capacity, I am responsible for investigating federal crimes, including crimes of violence, computer crimes, crimes against property, crimes committed via computers and the internet, and any other crimes relating to the United States Department of the Navy and the United States Marine Corps. I have received advanced formal training in internet related crimes and have participated in numerous search warrants, interviews, and operations in a variety of investigative matters. I have attended and successfully completed the Basic Criminal Investigator's Course at the Federal Law Enforcement Training Center, Glynco, Georgia.

2. I have assisted in the investigation of the offenses described in this affidavit. As a result of my participation in this investigation and a review of reports made by other law enforcement officers, I am familiar with the circumstances of this on-going investigation. I have not included each and every fact known to me in this affidavit, but only the facts I believe are necessary to establish probable cause to believe Brock Brian Beeman engaged in the crimes of making an interstate threat to injure another person in violation of 18 U.S.C. § 875(c), cyberstalking in violation of 18 U.S.C. § 2261A(2), and for making obscene and anonymous harassing phone calls, in violation of 47 U.S.C. §§ 223(a)(1)(A) and (a)(1)(C).

LEGAL AUTHORITY

3. 18 U.S.C. § 875(c), provides that whoever knowingly and willfully transmits a message in interstate and foreign commerce, containing a true threat to injure another person for the purpose of issuing a threat, or with knowledge that the communication be viewed as a threat shall be punished.

4. 18 U.S.C. § 2261A(2), in pertinent part, provides that whoever with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that places that person in reasonable fear of the death of, or serious bodily injury to that person, an immediate family member (as defined in section 115) of that person, or a spouse or intimate partner of that person; or causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to such a person, shall be punished.

5. 47 U.S.C. § 223(a)(1)(A), provides that whoever uses a communication device to knowingly send any comment, request, suggestion, proposal, image, or other communication which is obscene with the intent to annoy, abuse threaten, or harass another person, shall be punished.

6. 47 U.S.C. § 223(a)(1)(c), provides that whoever with the intent to annoy, abuse, harass, or threaten a person makes interstate telephone calls to that person without disclosing their identify in the telephone calls, shall be punished.

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PROBABLE CAUSE

7. On May 13, 2020, the Naval Criminal Investigative Service in the Norfolk Field Office received information that A.M. had been receiving several harassing and threatening phone calls from the phone number (518) 846-8309.

8. A.M. is a Navy dependent spouse residing in Virginia Beach, Virginia.

9. Initial background checks for the phone number (518) 846-8309 revealed that this number is operated by Chazy & Westport Corporation. An exigent circumstance request was made to Chazy & Westport Telephone Corporation and they returned the following subscriber information for the phone number (518) 846-8309:

Name: Brian Beeman

Service Address: 505 Stetson Road (the **SUBJECT PREMISES**)

10. Chazy & Westport Corporation revealed that the number (518) 846-8309 is a landline.

11. Brian Beeman is believed to be the father of Brock Beeman.

12. Database inquiries revealed that 505 Stetson Road is the residence of Brock Beeman.

13. During the interview, A.M. relayed that she did not know the caller's identity as each time she received a call "NO CALLER ID," displayed on the screen. However, A.M.'s phone displayed that the calls were originating from New York.

14. As a result of the phone calls A.M. downloaded Trapcall, a mobile telephone application that can unmask blocked calls. After downloading Trapcall, A.M. continued to receive phone calls from the unknown number. According to A.M. Trapcall unmasked two phone numbers as being associated with the unknown caller, (229) 518-6462 and (518) 846-8309. The phone number (229) 518-6462 resolved back to Flowroute and the phone number (518) 846-8309 resolved back to a Brian Beeman.

15. A.M. explained that she was fearful of the caller as a result of the phone calls based on the belief that the callers knows where she lives and the threats he made to her and her children. She further explained that she has never met Brian or Brock Beeman nor does she have any knowledge of him.

16. To date, A.M. continues to receive calls and voicemails from both (518) 846-8309 and (229) 518-6462. Agents of NCIS review all the calls receive and review all the voicemails

17. Agents of NCIS reviewed the voicemails provided by A.M. and the following is a description from a sample of the voicemails:

a. Voicemail left on May 11, 2020 "NO CALLER ID": the caller stated that if A.M. did not "pick up the phone next time I call it wasn't going to be good, I told you if you don't pick up the phone next time I call I'm going to be saying death threats over the answering machine...." He

also stated, "I told you I will drive to Virginia Beach and teach a lesson, I know you live there...I'm saying threats over the answering machine harm you and your fucking children I'm not playing, I'm not the one to mess with, I will find you, you will not like me...continue this up Anna and will not end well for you."

b. Voicemail left on May 12, 2020 from (518) 846-8309: the caller stated, "I told you what was going to happen if you don't pick up my phone calls I'm going to drive down to [inaudible] California and slice your fucking throat and gauge your eyeballs out along with your fucking kids' throat and husband's throat." The caller then listed A.M.'s current address and previous addresses.

c. Voicemail left on May 14, 2020 from (229) 518-6462: The caller requested A.M. bring her "... Motha fuckin sexy ass over here with them 36B titties and those 6 size waist pants" the caller then states, "get your ass in the bed, spread that pussy and shove my 10 inch cock in that and let's get'er going come on."

d. Voicemail left on May 19, 2020 from (229) 518-6462: The caller started off stating he was bored and lonely. The caller then became more graphic stating, "... get your motha fuckin sexy 36B TIT-TAYS and them 6 size inch panty waist line down here, strip naked in the bed..." The caller goes into detail about what he wants to do to A.M. to him by stating, "let me stick my 10 inch dick in you like good ole times, get you about a quarter cum inside you and then eat it out like the good ole days..." The caller goes on to state that he knows her current location when he says, "or I can just drive down there and do it cuz I know where you live..."

e. Voicemail left on May 30, 2020 from (229) 518-6462: The caller calls A.M. and states she is a "cunt" and advises she should be very "cautious" of him and tells A.M. "take that to the cops and it for them." The caller then tells A.M. he is going to "hunt" her down.

f. Voicemail left on May 30, 2020 from (229) 518-6462: The caller told A.M. he is going to drive to her house, slit her throat, gouge her eyeballs out, and kill her and her family. During the phone call the caller stated he knew where A.M. lived. Furthermore he insisted that she change her phone number and move out of the area. The caller stated, "I am going to fucking kill you." The caller ended the call by stating, "see you soon you're going to die."

g. Voicemail left on June 5, 2020 from (229) 518-6462: The caller called A.M. a coward for not answering his calls. The caller then became upset and accused A.M. of playing games stating "I'm all worked up now" and "in a bad mood" and that he is on his way "to kill you and cut your fucking throat, and your husbands throat, and your kid's fucking throats"... "I'm not fucking playing"... "I will slice your throat in the middle of the night along with your fucking husbands and your fucking kids do you think I'm fucking joking? I know you live in Virginia" ... "you wait it's going to come when you least fucking expect it. The caller then stated that A.M.'s actions of ignoring his calls are starting to "piss him the fuck off" and that he will see A.M. soon when she least expects it. He then stated that A.M. will not be happy when he comes to Virginia with his "machete, chainsaw, and flame thrower with me and we'll see who is laughing by the end of the night." The caller then reiterated that A.M. she is going to die an unexpected death.

18. Each voicemail appears to have been left by the same individual based upon the sound of the caller's voice, the tone, and the content of the messages. In addition, based upon the sound of the caller's voice the individual is likely a male.

19. Initial background checks for the phone number (229) 518-6462 revealed that this number is owned by L3 Communications and leased to Flowroute. Legal service was sent to Flowroute to obtain the subscriber information for (229) 518-6462. Flowroute returned the following subscriber information for the phone number (229) 518-6462:

Name: Mehdi Nezarati
Address: Richmond Hill, Ontario, Canada
Company: Avaya, Inc.

20. Initial background checks for Mehdi Nezarati revealed he is an executive for Avaya, Inc. Avaya, Inc. is an international company that provides digital communication software, services, and devices to other companies. Mehdi Nezarati uses (229) 518-6462 as a US phone number for operational purposes. It is believed (229) 518-6462 was spoofed¹. In my training and experience there are numerous services to include mobile phone applications and websites that can allow individuals to spoof their number. This means that presumably other electronic devices/app were used to make the harassing and threatening calls.

21. On May 29, 2020 surveillance was established at 505 Stetson Rd, the **SUBJECT PREMISES**, and has been in place to date.

- a. On June 3, 2020 at 3:44 p.m., A.M. received calls and a voicemail from (518) 846- 8309. I reviewed surveillance footage from June 3, 2020 and it revealed that at the time this call was placed Brock Beeman was the only person inside the **SUBJECT PREMISES**. Prior to reviewing the footage I reviewed booking photos of Brock Beeman and local officers described Shelly Beeman and Brian Beeman to me.
- b. Surveillance footage from June 3, 2020 revealed that at approximately 6:16 a.m. an individual matching the description of Brian Beeman (B. Beeman) exited the rear of the **SUBJECT PREMISES** on foot and did not return until approximately 7:46 p.m. At 11:50 a.m., Brock Beeman exited the residence, retrieved the mail, and then re-entered the **SUBJECT PREMISES**. At 2:50 p.m. an individual matching the description of Shelly Beeman's (S. Beeman) departed the residence in a vehicle registered to Shelly Beeman. No other person appeared to be in the vehicle with her. The vehicle returned to the **SUBJECT PREMISES** at 4:21 p.m.

22. On June 5, 2020 Officers of the Clinton County Sheriff's Office in Chazy, NY confirmed the only individuals residing at the **SUBJECT PREMISES** are Brian, Brock, and Shelly Beeman. In addition, Officers confirmed with Brian Beeman's employer that he was at work on June 3, 2020 during the time in which A.M. received calls and a voicemail from (518) 846-8309.

¹ Spoofing is when a caller deliberately falsifies information transmitted to another person's caller ID display to disguise their identity.

23. Chazy & Westport Corporation provided detailed call records from January 9, 2020 to April 25, 2020. During this time, A.M. received four (4) phone calls from (518) 846-8309. The first of which occurred on March 6, 2020.

24. From May 11, 2020 to present, Brock Beeman called A.M. approximately 126 times and left 12 voicemails. In total, A.M. has received approximately 130 calls from (518) 846-8309. A.M. received a voicemail as recently as June 5, 2020, in which he threatens to go to Virginia Beach, VA and kill A.M. and her family.

25. An open source search revealed that Brock Beeman previously plead guilty to making interstate threats to injure another person in violation of 18 U.S.C. § 875 on March 8, 2016, in Federal District Court in the Northern District of New York. An NCIS agent later retrieved court documents confirming this.

26. Accordingly, I request that a warrant be issued authorizing the arrest of Brock Brian Beeman.



Nichole L. Harris
Special Agent
Naval Criminal Investigative Service
Norfolk, VA

Sworn to before me this 19th day of June 2020.



United States Magistrate Judge
Eastern District of Virginia